

59 (d) "Wildfire mitigation measures" means the same as that term is defined in Section  
60 65A-8-106.

61 (2) Except as provided in Section 59-10-1002.2, for a taxable year beginning on or  
62 after January 1, 2016, but beginning on or before December 31, 2018, a landowner may claim a  
63 nonrefundable income tax credit as provided in this section:

64 (a) in an amount equal to 50% of the landowner's costs incurred in performing wildfire  
65 mitigation measures during that taxable year on the landowner's property as documented by a  
66 tax credit certificate issued under Section 65A-8-106; and

67 (b) if the wildfire mitigation measures are performed in a qualified wildland fire  
68 mitigation area as defined in Section 65A-8-106.

69 (3) A tax credit under this section may not exceed \$2,500 per return.

70 ~~H→ [(4) In the case of real property owned as tenants in common, a tax credit under this~~  
71 ~~section may only be claimed by one of the owners of the property.~~

72 ~~—(5)] (4) ←H A tax credit under this section may not be carried forward or carried back.~~

73 ~~H→ [(6) (5) ←H (a) On or before October 1, 2017, the Revenue and Taxation~~  
73a ~~Interim Committee~~

74 ~~shall study the tax credit allowed by this section and make recommendations to the Legislative~~  
75 ~~Management Committee concerning whether the tax credit should be continued, modified, or~~  
76 ~~repealed.~~

77 (b) For purposes of the study required by this Subsection (6), the division shall provide  
78 the following information to the Revenue and Taxation Interim Committee:

79 (i) the amount of tax credit that the division grants for each taxable year;

80 (ii) the number of landowners to whom the division issues a tax credit certificate each  
81 taxable year; and

82 (iii) any other information that the Revenue and Taxation Interim Committee requests.

83 (c) The Revenue and Taxation Interim Committee shall ensure that its  
84 recommendations under Subsection (6)(a) include an evaluation of:

85 (i) the cost of the tax credit to the state;

86 (ii) the purpose and effectiveness of the tax credit; and

87 (iii) the extent to which the state benefits from the tax credit.

88 Section 3. Section **65A-8-106** is enacted to read:

89 **65A-8-106. Mitigation of wildland fire risk by private landowners.**

90 (1) As used in this section:

91 (a) (i) "Costs" means expenses incurred and paid by a landowner for performing  
 92 wildfire mitigation measures as documented by the division under this section.

93 (ii) "Costs" does not include:

94 (A) inspection or certification fees, in-kind contributions, donations, incentives, or cost  
 95 sharing expenses associated with performing wildfire mitigation measures; or

96 (B) expenses paid by a landowner from a grant awarded to the landowner for  
 97 performing wildfire mitigation measures.

98 (b) "Landowner" means the same as that term is defined in Section 59-10-1033.

99 (c) "Qualified wildfire mitigation area" means an area or community designated by the  
 100 division as being prepared to address the risk of wildland fire based on nationally recognized  
 101 wildfire readiness standards.

102 (d) "Tax credit certificate" means a certificate issued by the division that includes:

103 (i) the name of the landowner;

104 (ii) the landowner's taxpayer identification number; and

105 (iii) the costs the landowner incurred and paid.

106 (e) "Wildfire mitigation measures" means efforts undertaken to reduce the risk of  
 107 wildland fire that meet or exceed standards established by rule under this section by the  
 108 division, including:

109 (i) the creation of a defensible space around structures;

110 (ii) the establishment of fuel breaks; and

111 (iii) thinning of woody vegetation for the primary purpose of reducing risk to structures  
 112 from fire.

113 (2) ~~Ĥ~~→ (a) ←~~Ĥ~~ If a landowner performs wildfire mitigation measures on property  
 113a within a qualified  
 114 wildfire mitigation area in compliance with this section, the landowner may apply to the  
 115 division for a wildfire mitigation tax credit certificate.

115a ~~Ĥ~~→ (b) **Regardless of any shared or joint ownership of the property described in this**  
 115b **Subsection (2), the division may only accept an application for a wildfire mitigation tax credit**  
 115c **certificate from one landowner of that property.** ←~~Ĥ~~

116 (3) The division shall:

117 (a) establish an application for a wildfire mitigation tax credit certificate that requires  
 118 an applicant to describe:

119 (i) the wildland fire mitigation measures taken; and

120 (ii) the costs incurred and paid by the applicant for performing wildfire mitigation